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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,382

11/19/2003

Roy Kaufmann

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05/16/2008

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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

MAIL DATE

DELIVERY MODE

05/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,382

Applicant(s)

KAUFMANN ET AL.

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the Amendment and Remarks filed on 2/11/2008. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over England, US pat. No.6,144,991 in view of Bose et al. US Pub. No.2002/0042830 A1. As to claim 1, England discloses a method in a data processing system, comprising the steps of:

recording a media stream of an interactive presentation having interactive elements and receiving a request during the recording to add notes to the media stream at a particular time (enhancement of live television and radio events to users over the web, see fig.5, col.11 line 21 to col.12 line 36);

adding the notes to the media stream by synchronizing the notes to the media stream at the requested particular time, playing the recorded media stream and displaying the

notes during the playing of the recorded media stream at the particular time (see col.12 line 37 to col.13 line 22 and col.14 lines 15-46).

England does not specifically disclose an interactive element that users interact with during playback of the interactive presentation. However, Bose discloses an interactive element that users interact with during playback of the interactive presentation (providing for Interactive Question and Answer potentially used during live training sessions, and subsequently recorded for playback from archived training files. For example, Bose discloses that during live training sessions, the trainer may send responses back to one as a subset or all students participating in the session, see abstract, [0095] to [0100]). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Bose's teachings into the computer system of England to control user's interactions in a presentation because it would have provided a real-time messaging system for delivering messages to recipients/users when messages are originated during live communications.

As to claims 2 and 3, England discloses annotating an image with text and editing the notes (see col.14 lines 1-46).

As to claims 4-6, England discloses importing the notes to be added to the media stream and printing the added notes and entering the notes using voice recognition (see col.14 lines 1-46 and col.16 line 33 to col.17 line 42).

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Claims 7-10 are rejected for the same reasons set forth in claims 1, 1-3 respectively.

Claims 11-17 are rejected for the same reasons set forth in claims 1-6 and 1 respectively.

As to claim 18, England discloses a method in a data processing system, comprising the steps of: playing a media stream having one or more notes synchronized to the media stream at a particular time (enhancement of live television and radio event over the web including playbacks, see fig.5, col.11 line 21 to col.12 line 36); receiving a request to edit one of the notes in the media stream; and editing the requested one of the notes while retaining the synchronization of the notes at the particular time in the media stream (see col.12 line 37 to col.13 line 22 and col.14 lines 15-46).

As to claim 19, England discloses playing the media stream and displaying the edited notes during the playing of the media stream at the particular time they were synchronized to the media stream (see col.12 line 37 to col.13 line 22 and col.14 lines 15-46).

As to claim 20, England discloses adding notes to the media stream during recording via a graphical user interface, and wherein the step of editing the requested notes further comprises: editing the requested notes via the graphical user interface (see col.14 lines 1-46 and col.16 line 33 to col.17 line 42).

Claims 21-23 are rejected for the same reasons set forth in claims 18-20 respectively.

Claims 24-26 are rejected for the same reasons set forth in claims 18-20 respectively.

Response to Arguments

5. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Claims 1-26 are rejected.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FOLLANSBEE JOHN, can be reached on (571) 272-3964. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Khanh Dinh/

Primary Examiner, Art Unit 2151